## FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \* \*

The Petitioners herein request a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 35 ft. front yard setback in lieu of the required 40 ft. setback in a D.R. 2 zone for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21 day of fermon, 1992 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 35 ft. front yard setback in lieu of the required 40 ft. setback in a D.R. 2 zone for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

Zoning Comoissoner Office of Plangue and Zenjage Suite 113 Courthouse

400 Washington Avenue Towson, MD 21204

(410) 887 4386

February 20, 1992

Mr. and Mrs. Lawrence C. Knoll 1602 Pinnacle Road Towson, Maryland 21204

> RE: Petition for Residential Zoning Variance Case No. 92-273-A

Dear Mr. and Mrs. Knoll:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

Billimore County Cosemownt

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

Lawrence ( f. CHARLOTTE V. KNOLL Charlatte V. Grall 1602 PINNACLE RD. 825-4784 Towson Hame, address and phone number of owner, contract purchaser or A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

PETITION FOR ADMINISTRATIVE VARIANCE

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 13(1)3(1)3(1)

AT PRESENT, A PORTION OF OUR CARPORT IS 35' INSTEAD OF THE

VARIANCE SO THAT WE MAY ENCLOSE THE CARPORT, MAKING

IT A GARAGE AND ADD A SECOND STORY ROOM OVER THE

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to

and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for

A 35' LACK GOND SK LIBITER INVEWOFTING

REQUIRED 40' SETBACK FROM THE ROAD, WE REQUEST A

TOP OF THE GARAGE (SEE ATTACHED INFORMATION)

PERCURSON 40 1 IN N DR 2 7000

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

ZONING COMMISSIONER OF BALTIMORE COUNTY

I/we do solemnly declare and affirm, under the penalties of perjury,

that I/we are the legal owner(s) of the property which is the subject

LAWRENCE C. KNOLL

Contract Purchaser:

(type or print name)

**AFFIDAVIT** IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 1602 PINNACLE ROAD

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

Variance at the above address: (indicate hardehip or practical difficulty) AT PRESENT A PORTION OF OUR CARPORT IS 35' INSTEAD OF THE REQUIRED 40' SETBACK FROM THE ROAD. WE REQUEST A VARIANCE SO THAT WE MAY ENCLOSE THE CARPORT, MAKING IT A GARAGE AND ADD A SECOND STORY ROOM OVER TOP OF THE GARAGE. THIS CARPORT, WHICH IS GREATLY NEEDED FOR ADDITIONAL LIVING SPACE BECAUSE OF MEMBERS OF THE FAMILY

RETURNING TO LIVE, IS THE ONLY SITE THAT CAN BE USED TO BUILD A SECOND FLOOR STRUCTURE THAT WILL HAVE AN

ACCESS TO THE SECOND FLOOR OF THE EXISTING STRUCTURE

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

LAWRENCE C. KNOLL STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

V' LAWRENCE C. & CHARLOTTE V. KNOLL

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made onth in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Sea!

THE DESCRIPTION -3 copies required

Three copies of the zoning description of your property are required. Type or print this description, standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, do not have adequate information. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 1602 PINNACLE RD.

Beginning at a point on the WEST side of (north, south, east or west) (name of which is 2.0;

street on which property fronts) (number of feet of right-of-way wide at the distance of 162.5;

width) (number of feet) (north, south, east or north, e (number of feet of right-of-way width) which is street) (number of feet of right-of-way width)
#(114), Block (), Section #() in the subdivision of PINELEIGH as recorded in Baltimore County Plat Book #(28), Folio #(33), subdivision)
containing

(number of total square feet or acres in lot)

[601 PINNACLE ED and located in the (9) Election District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ( ), Folio ( )" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., 8.18° 27' 03" E. 87.2 ft., 8.62° 19' 00" H. 318 ft., and N.08° 15' 22" W.80 ft. to the place of beginning

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Variance Petitioner: Lawrence C. + Charlotto V. Knoll Location of property: W/S Pinnecle Rd., 1635 N/Rex Jergt Location of Signer Focing Pinnowle Rd., agenox, 15 Fr. You Sway

Baltimore County Zoning Commission County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

LAST NAME OF DUNER: Thurs

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Account: R-001-6150

1170 00290 PUBLIC MEANING FERS PRICE 010 SCHING MARIANCE COME 080 -POSTING SIGNS / ADVERTISING 1

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\$60.00

TO LIVE, IS THE ONLY SITE THAT CAN BE USED TO BUILD A SECOND FLOOR STRUCTURE THAT WILL HAVE AN ACCESS TO THE SECOND FLOOR OF THE EXISTING STRUCTURE

THIS CARPORT AREA, WHICH IS GREATLY NEEDED FOR ADDITIONAL

LIVING SPACE BECAUSE OF MEMBERS OF THE FAMILY RETURNING



(410) 887-3353

Lawrence C. and Charlotte Knoll 1602 Pinnacle Road Towson, Maryland 21204

Re: CASE NUMBER: 92-273-A LOCATION: W/S of Pinnancle Road cul-de-sac, 162.5' N of Roxleigh Road 1602 Pinnacle Road

9th Election District - 6th Councilmanic

111 West Chesapeake Avenue

Towson, MD 21204

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

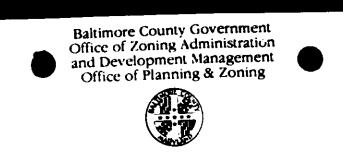
1) Your property will be posted on or before February 2, 1992. The closing date is February 18, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.0° charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR

DISTRIBUTION PRIOR TO BEING MAILED TO YOU.



February 5, 1992

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Mr. & Mrs. Lawrence C. Knoll

1602 Pennacle Road Towson, MD 21204

RE: Item No. 290, Case No. 92-273-A Petitioner: Lawrence C. Knoll, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Knoll:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committe Coments Date: February 5, 1992

> Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or imcompleteness.

Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Coordinator

Enclosures

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 15th day of January, 1992.

Zoning Plans Advisory Committee

Petitioner: Lawrence C. Knoll, et ux Petitioner's Attorney:

EALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 4, 1992 Zoning Administration and Development Management

> Gary L. Kerns, Chief Comprehensive and Community Planning Office of Planning and Zoning

SUBJECT: LeBrun Property, Item No. 301 Jackson Property, Item 300 Buell Property, Item 296 Loncala Property, Item 291 Knoll Property, Item 290 / Trustees Cedar Grove V.M. Church, Item No. 289 Hoffman Property, Item 285

Brooks Property, Item 283

In reference to the Petitioners' request, the staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Report prepared by:

GLK/JL:rdn ITEM301/TXTROZ

**Baltimore County Government** Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

JANUARY 30, 1992

Arnolō Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

FE: Froperty Cwner: LAWRENCE C. KNOLL AND CHARLOTTE V. KNOLL

#1602 PINNACLE ROAD Location:

Zoning Agenda: JANUARY 28, 1992 Item No.: 290

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Noted and Fire Prevention Eureau Special Inspection Division

JP/KEK

BALTIMORE COUNTY ECONOMIC DEVELOPMENT COMMISSION

Memorandum

Julie Winiarski

Office of Zoning Administration and Development Management

A. J. Haley, Deputy Director Economic Development Commission

Zoning Advisory Comments for Meeting of January 28, 1992

This office has no comment for items 285, 286, 289, 290, 291, 292, 293, 294, 295, 296 and 297.



92-273

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 13, 1992 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E. Zoning Advisory Committee Meeting

for January 28, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 285, 289, 290, 291, 293, 294, 295 and 296.

For Items 286 and 292 County Review Group Meetings will be required.

For Item 297, the previous County Review Group Comments still remain valid.

> ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB:s

92-273-A 2-18-92

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: February 18, 1992

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

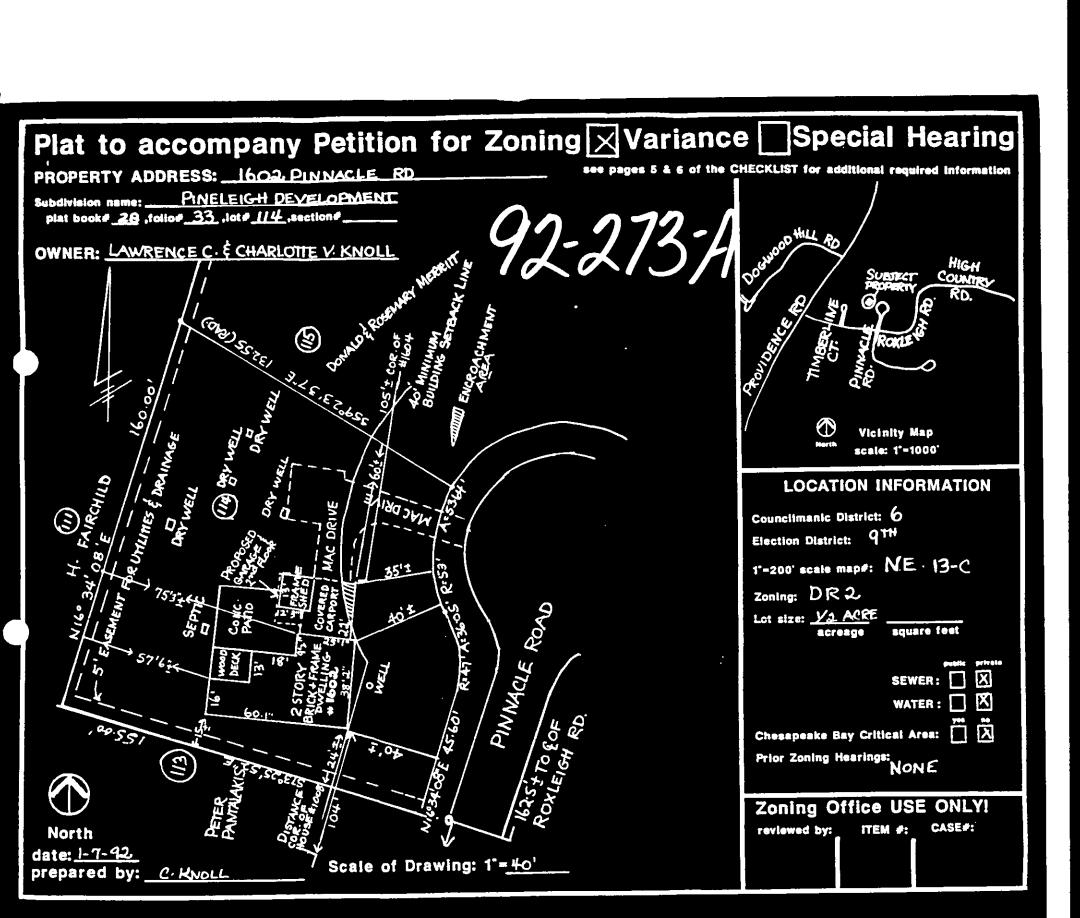
Rahee J. Famili SUBJECT: Z.A.C. Comments

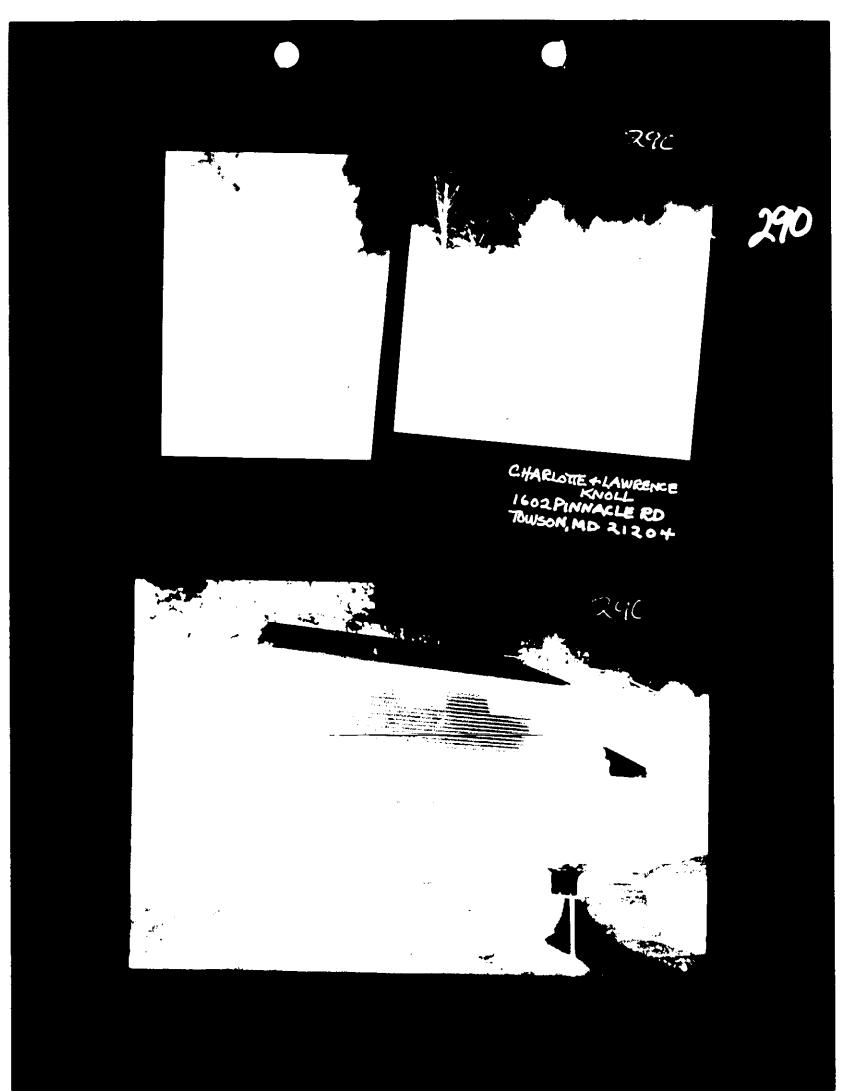
Z.A.C. MEETING DATE: January 28, 1992

This office has no comments for item numbers 285, 290, 291, 292, 294, 295 and 296.

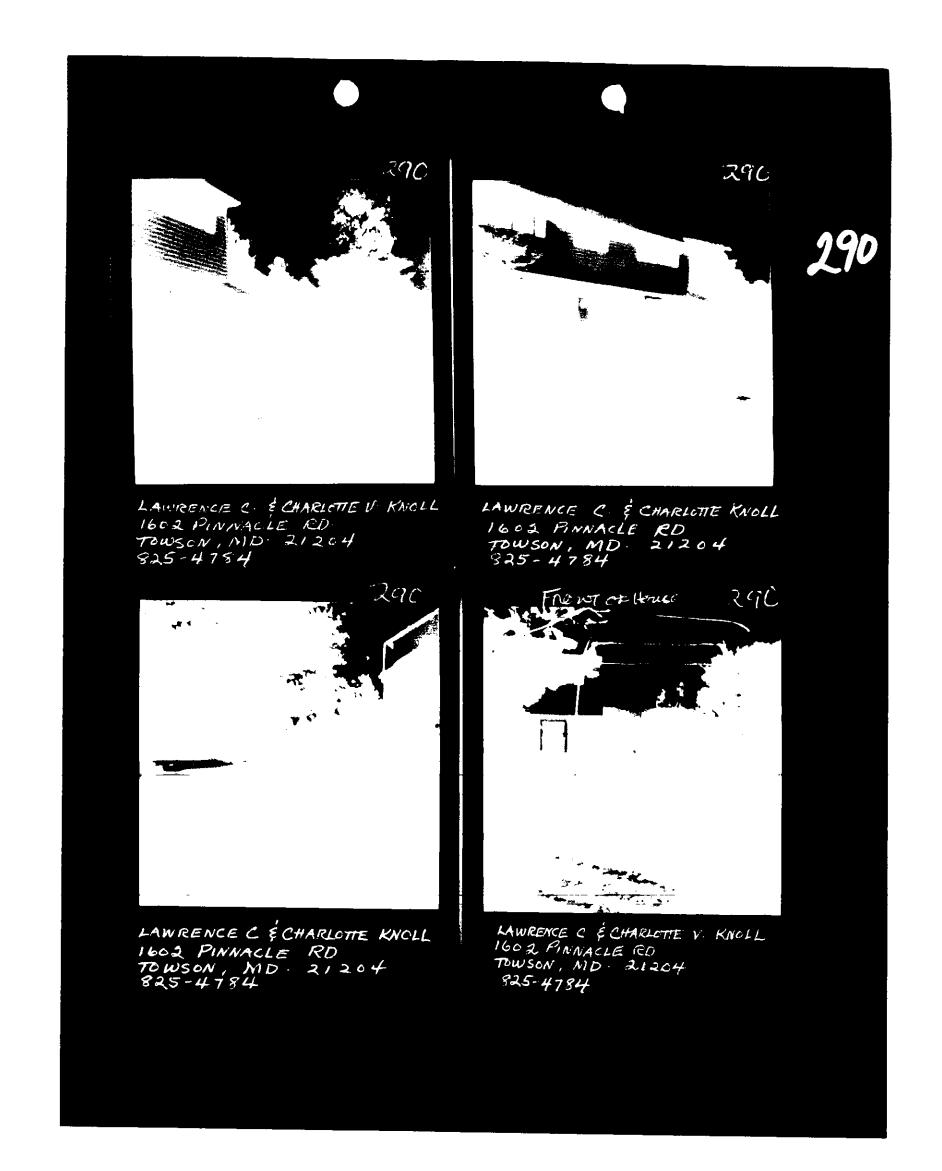
Traffic Engineer II

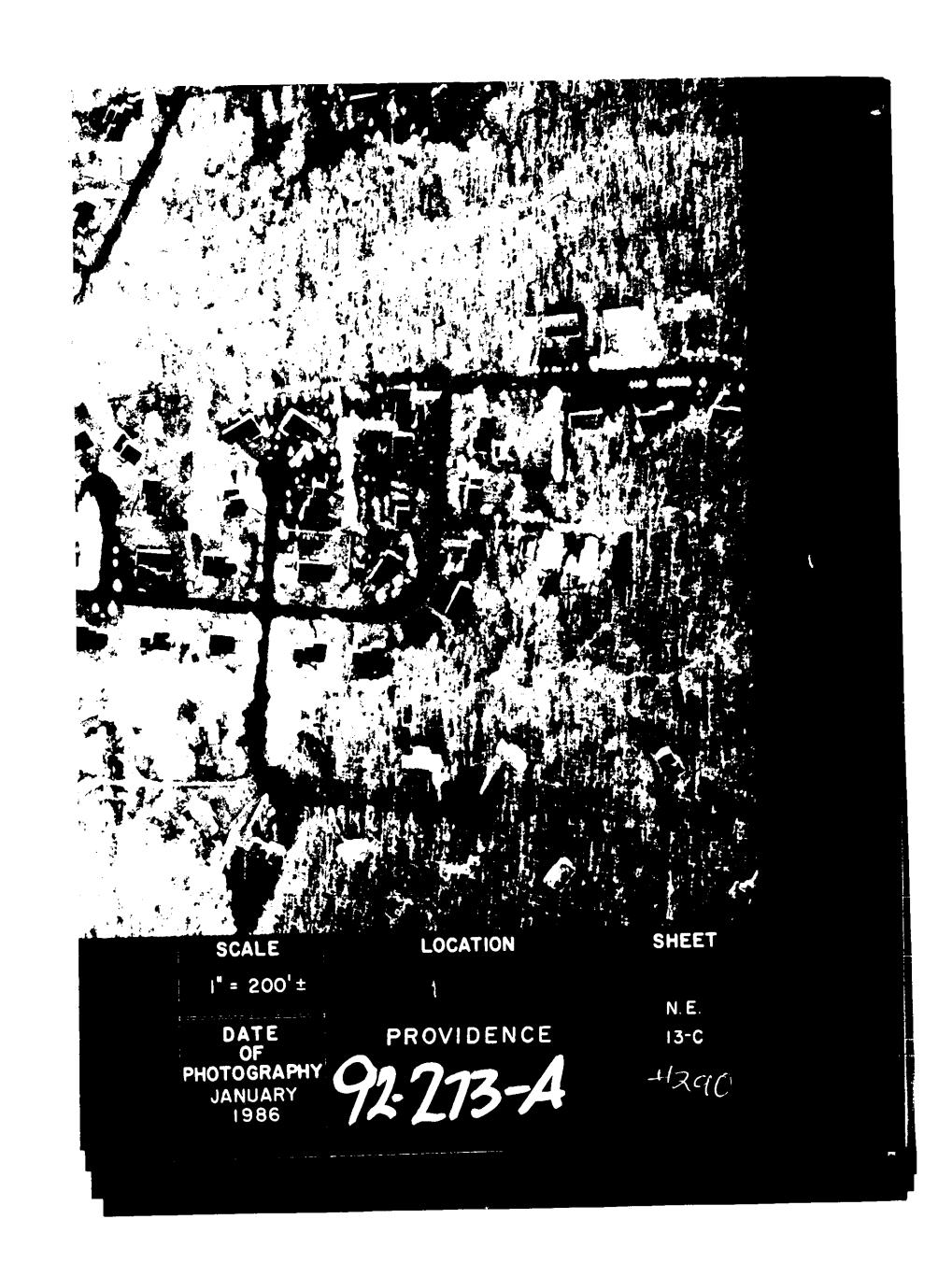
RJF/lvd

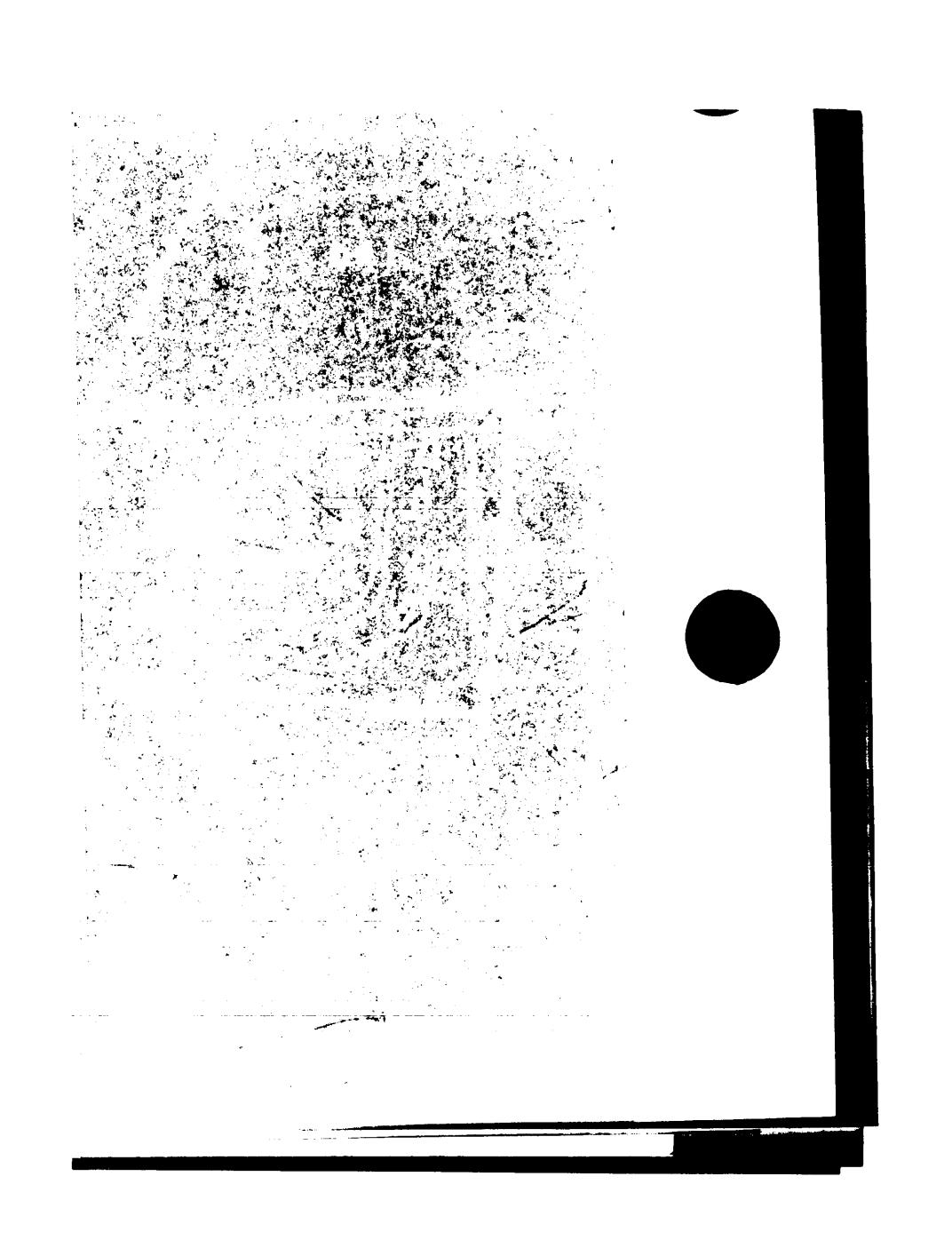




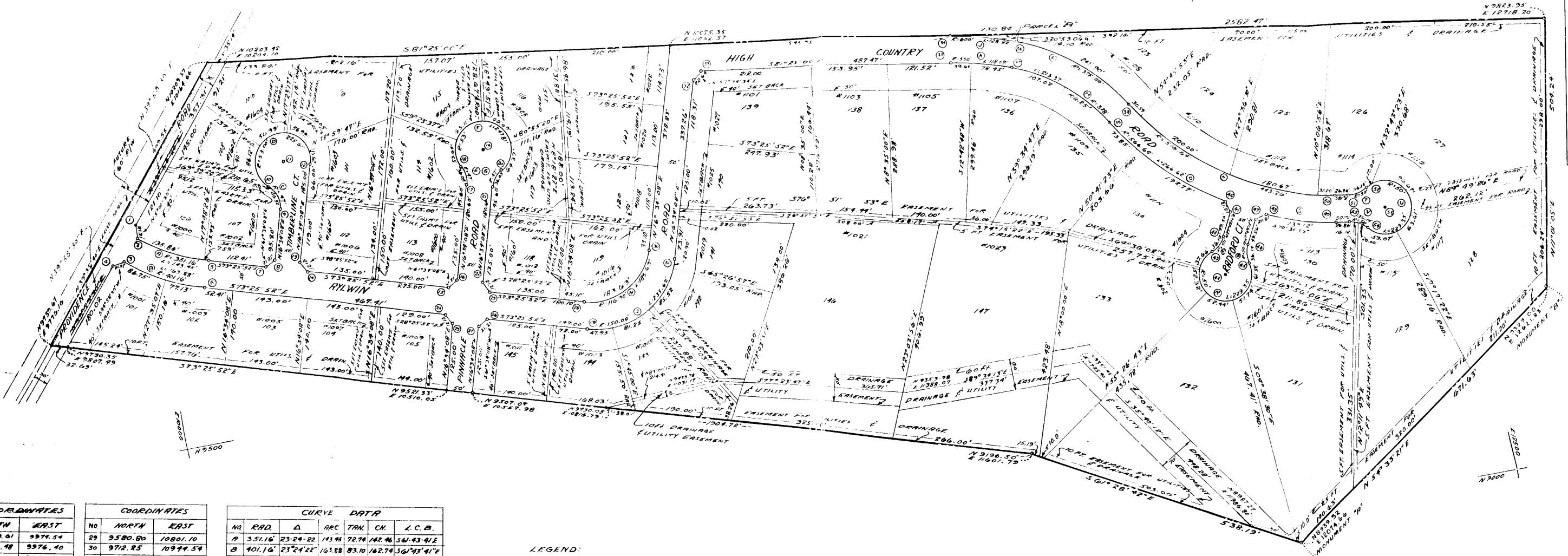








92-273-A



	COOR	OWN ATES	COORDINATES			
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4	9786./4	10286.88	42	9530.26	12031.9	
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19	7950.30	10663.77	47	9551.54	12099.0	
20	9904.17	10689.86	18	9558.82	12119.0	
21	9876.66	10667.94	19	9520.34	12253.3	
22	9703.54	10616.44	50	9569.72	12261-1	
<b>Z</b> 3	9684.90	10626.54	51	9565.52	12287.7	
24	9659,79	10535.60	52	9578.69	12322.3	
25	9641.14	10545.70	53	9530.48	12349.1	
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Geor a William Sterbers, J. .

5 McCurdy Avenue,

Towson, 4, Hary land

The Associates, Inc

	CURVE			DA	77	_
NQ	RAD.	Δ	ARC	TAN.	CN.	L. C. B.
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F	47.00	13°56'44"	36.05	18.96	35.17	N5°24' 14"W
F	53.00	267°53'28"	247.81			
G	47.00'	43.56'41"	36.05	18.96	35.17	N38°32'30'E
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7	378.00	370/6'21"	245.90	12748	241.58	587°45'01"A
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<u>u</u>	50.00	262-17'10"	229.35			
V	50.00	4124'35"	36.14	18.90	35.36	360 17'42"E

CENTIFICATION IS REPORT MADE THAT THIS PLAT WAS

CONTRITION BY G.W. STITLE S. JO & ASSOCIATES INC. AND

THE STATE WEETS THE RECEIPT AND OF SECTION 72-8 ARTICLE

17 OF THE AMERICATED CODE OF MARYLAND 1947 SUPPLE-

CERTIFICATION -

mention totale or the encoding of beteboting at title powerte be the contraction of the party of the state of

OUTLINE OF PLAT SHOWN THUS: BOUNDARY OF ROADS SNOWN THUS:

HOUSE SETBACK LINES SHOWN THUS;

HOUSE NOS. SHOWN THUS:

THIS IS TO CERTIFY THAT THE REVISIONS SHOWN IN LEG MILE

Confecto de 1025 62

REG. 2286

ERSEMENT FOR UTILITIES & DRAINAGE SHOWN THUS:

THE COORDINATES SHOWN ABOVE ARE ASSUMED AND

ARE BASED ON MONUMENT "A" & MONUMENT "B".

LOT LINES SHOWN THUS LOT NOS. SNOWN THUS:

NOTES

FICE MARYLAND CHAFTER COMPLIED WITH ON THIS

\_\_\_\_ -; --: --- ---

**4**/005

APPROVED BY BALTIMORE COUNTY HEALTH DEPARTMENT DEPUTY STATE AND COUNTY HEALTH PETICES

E. H. JEC C-26-67 2-2-4

APPROVED AS TO ALIGNMENT AND LOCATION OF STREETS

WUR 28 FOLIO 33 SPORTIND for Record

W.J.R. No. ...... 20110 ..... One of the ...... Recents of

RESUBDIVISION PLAN PINELEIGH

BALTO. CO. MD. SCALE: 1" 100

ELECT. DIST. NO. 9 DECEMBER 8,1961.

PROVIDENCE

LOCATION PLAN Scale: 1 - 2,083

JOSEPH & HELEN GUZZO . OWNER 1313 GATESHEAD ROAD BALTO. CO., MD.

LAWRENCE C. É CHARLOTTE V. KNOLL 1602 PINNACLE RD. TOWSON, MD. 21204 825-4784